

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEPHEN GANNON, individually and  
on behalf of all others similarly situated

Plaintiff,

*– against –*

31 ESSEX STREET LLC, PARTY BUS  
BAKESHOP LLC, JOHN DOE 1-X,  
persons yet unknown, limited liability  
companies, partnerships, *and*  
CORPORATIONS 1-X, entities yet  
unknown,

Defendants.

**ORDER**

22-cv-1134 (ER)

RAMOS, D.J.:

The Court having been advised that the parties have reached a settlement in principle, it is ORDERED that the above-entitled action be and hereby is discontinued, without costs to either party, subject to reopening should the settlement not be consummated within sixty (60) days of the date hereof. If the case is reopened, Defendant 31 Essex Street, LLC may request a new date by which to file its reply brief to the Motion to Dismiss the Amended Complaint.

**Any application to reopen must be filed within sixty (60) days of this Order;** any application to reopen filed thereafter may be denied solely on that basis. Further, the parties are advised that if they wish the Court to retain jurisdiction in this matter for purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the next sixty (60) days with a request that the agreement be “so ordered” by the Court.

It is SO ORDERED.

Dated: May 25, 2023  
New York, New York



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EDGARDO RAMOS, U.S.D.J.